

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

STEPHEN P. KELLY

PLAINTIFF

v.

Civil No. 06-5179

WAL-MART, INC., an Arkansas Corporation;
CHRISTINE DOWNTON, in her official
capacity; GARY DOWNTON, in his official
capacity; and WAL-MART STORE #2092,
Ogdensburg, New York

DEFENDANTS

ORDER

This matter comes before the court for a determination regarding plaintiff's in forma pauperis application and service on defendants. Having reviewed the application, we find it should be granted and plaintiff will be allowed to proceed as a pauper in this matter. The district clerk is directed to file plaintiff's complaint *nunc pro tunc* as of September 18, 2006. The matter of service will be determined at a later date.

IT IS SO ORDERED this 22nd day of September 2006.

Beverly Stites Jones

HON. BEVERLY STITES JONES
UNITED STATES MAGISTRATE JUDGE

U.S. DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FILED

SEP 26 2006

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK